

110TH CONGRESS
2D SESSION

H. R. 6255

To provide for professional exchanges with Haiti, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 12, 2008

Ms. LEE (for herself, Mr. ENGEL, Mr. HASTINGS of Florida, Ms. CORRINE BROWN of Florida, Mr. GRIJALVA, Mr. ELLISON, Ms. JACKSON-LEE of Texas, Mrs. CHRISTENSEN, Mr. WEXLER, Ms. CLARKE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CONYERS, Mr. AL GREEN of Texas, Mr. RUSH, Mr. FATTAH, Mr. RANGEL, Mr. MEEKS of New York, Ms. SCHAKOWSKY, Mr. CUMMINGS, Ms. MOORE of Wisconsin, Mr. JEFFERSON, Mr. DAVIS of Illinois, Mr. JACKSON of Illinois, Mr. THOMPSON of Mississippi, Mr. CROWLEY, Mr. PAYNE, Ms. WOOLSEY, Mr. MEEK of Florida, Ms. WATERS, Mr. HONDA, Mrs. JONES of Ohio, Ms. ROYBAL-ALLARD, Mr. JOHNSON of Georgia, Ms. WATSON, Mr. FORTENBERRY, Mr. FALEOMAVAEGA, Mr. DELAHUNT, and Mr. HINOJOSA) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To provide for professional exchanges with Haiti, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Next Steps for Haiti
5 Act of 2008”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Haiti is the world's first black-led republic
4 and the first Caribbean country to achieve independ-
5 ence.

6 (2) Since its independence on January 1, 1804,
7 the Government of Haiti has struggled to meet the
8 promise of freedom and democracy expressed in the
9 Preliminary Declaration of its 1805 Constitution,
10 which reads: "The Citizens of Haiti are brothers at
11 home; equality in the eyes of the law is incontestably
12 acknowledged, and there cannot exist any titles, ad-
13 vantages, or privileges, other than those necessarily
14 resulting from the consideration and reward to lib-
15 erty and independence."

16 (3) According to the United States Agency for
17 International Development (USAID), following the
18 end of the 29-year Duvalier dictatorship in 1986,
19 the people of Haiti have suffered over a dozen gov-
20 ernment turnovers, including six military regimes,
21 three appointed transition governments, and four
22 elected presidencies.

23 (4) The government changes, accompanied with
24 ongoing violence, have limited the government's ca-
25 pacity to provide security for its citizens as well as

1 an environment conducive for the development of in-
2 frastructure to take root.

3 (5) Since the return of Haiti's democracy, the
4 country has taken steps to achieve a relative meas-
5 ure of stability. However, the recent 40 percent rise
6 in global food prices and subsequent 50 percent rise
7 in the cost of Haiti's staple foods since mid-2007
8 has threatened Haiti's security and the capacity of
9 Haiti's economy to prosper.

10 (6) According to the Department of State,
11 workforce unemployment and underemployment are
12 rampant. Estimates suggest that two-thirds of the
13 country's 3,600,000 workers are without consistent
14 work. The minimum wage of 70 gourdes per day
15 (U.S. \$1.70) undermines Haiti's ability to attract
16 the skilled labor necessary to expand its economy.
17 Reports indicate that Haitians are migrating to
18 neighboring countries, mostly to the Dominican Re-
19 public to find work. Moreover, the 500,000 Haitians
20 living in New York City and the 380,000 in Miami
21 represent a loss of skills and expertise that Haiti has
22 been unable to replace.

23 (7) Despite a strong social demand for edu-
24 cation among Haitian families, the education sector
25 in Haiti is characterized by a weak state capacity to

1 provide and regulate educational services. According
2 to USAID, Haitian families pay 15 percent of their
3 household income for schooling. Yet, there is an
4 adult literacy rate of 52 percent and a primary
5 school enrollment rate of 67 percent. Less than 30
6 percent of the children who enter primary school will
7 reach the 6th grade.

8 (8) According to the World Bank, approxi-
9 mately 500,000 children aged 6–11 do not attend
10 school of any kind, and only about half of all six
11 year olds enroll in first grade. Eighty percent of all
12 primary level students attend nonpublic schools fi-
13 nanced by parents, religious associations, NGO's,
14 and other sources. Haiti continues to face severe ob-
15 stacles in education due to access, equity, quality,
16 and institutional capacity.

17 (9) According to the Department of State, in
18 terms of health, Haiti has poor sanitation systems,
19 poor nutrition, and inadequate health services.
20 Eighty percent of Haiti's population lives below the
21 poverty line. Less than half of the population has ac-
22 cess to clean drinking water and 28 percent have ac-
23 cess to adequate sanitation.

24 (10) Only 43 percent of the target population
25 receives the recommended immunizations. Haiti,

1 thus, has a life expectancy at birth of 53 years and
2 a mortality rate of 12.2 deaths per 1,000 in popu-
3 lation.

4 (11) There are 25 physicians and 11 nurses per
5 100,000 in population. Only one-fourth of births are
6 attended by a skilled health professional.

7 (12) Haiti has the highest incidence of HIV/
8 AIDS outside of Africa, with a national prevalence
9 rate of 4.5 percent of the population.

10 (13) In terms of the environment, USAID re-
11 ports that Haiti is ill equipped for the aftermath of
12 tropical storms. The country lacks adequate manage-
13 ment plans for natural disasters. Severe deforest-
14 ation has left it vulnerable to flooding from the most
15 moderate rainfall. Over 90 percent of the country's
16 forests have been cleared for fuel, thus flash floods
17 and mudslides across the country have damaged
18 farmland and contributed to increased poverty.

19 **SEC. 3. THE NEXT STEPS FOR HAITI ACT OF 2008.**

20 (a) PROGRAM AUTHORIZED.—The Director of For-
21 eign Assistance, in consultation with the democratically
22 elected Government of Haiti and Haitian civil society or-
23 ganizations, is authorized to establish a professional ex-
24 change program in Haiti, to be known as the “Haiti Pro-
25 fessional Exchange Program” (in this Act referred to as

1 the “Exchange Program”). At all phases of the Exchange
2 Program, including establishing the Exchange Program’s
3 priorities, identifying the most appropriate skills for Ex-
4 change Program participants, and selecting and super-
5 vising Exchange Program participants, the democratically
6 elected Government of Haiti and Haitian civil society or-
7 ganizations shall be consulted.

8 (b) PURPOSE.—The purpose of the Exchange Pro-
9 gram is to assign qualified Haitian Americans and others
10 to provide technical assistance to help Haiti improve in
11 areas vital to its growth and development, which may in-
12 clude education, energy, environment, healthcare, infra-
13 structure, security, transportation, and disaster prepared-
14 ness.

15 (c) COORDINATION.—In carrying out the Exchange
16 Program, the Director of Foreign Assistance shall nego-
17 tiate an agreement with the democratically elected Govern-
18 ment of Haiti to—

19 (1) provide technical assistance in areas vital to
20 Haiti’s growth and development as provided under
21 subsection (b); and

22 (2) identify, in accordance with Haitian needs
23 and priorities, the sectors or professional fields to
24 which Exchange Program participants may provide

1 technical assistance and the objectives to be
2 achieved, including specific projects or programs.

3 (d) CONSULTATION WITH HAITIAN CIVIL SOCIETY
4 ORGANIZATIONS.—The democratically elected Govern-
5 ment of Haiti should consult with Haitian civil society or-
6 ganizations to identify the needs and priorities of Haiti
7 to outline the sectors or professional fields to which Ex-
8 change Program participants may provide technical assist-
9 ance and the objectives to be achieved, including specific
10 projects or programs.

11 (e) SELECTION OF INDIVIDUALS FOR PARTICIPATION
12 IN THE EXCHANGE PROGRAM.—The Director of Foreign
13 Assistance shall establish a selections committee, con-
14 sisting of representatives of the democratically elected
15 Government of Haiti and Haitian civil society organiza-
16 tions, to identify criteria that should be met by individuals
17 who wish to participate in the Exchange Program. In ad-
18 dition, the selections committee shall review potential eligi-
19 ble applicants who wish to participate in the Exchange
20 Program to ensure that they can act as experts.

21 (f) OUTREACH PROGRAM TO ENCOURAGE APPLI-
22 CANTS TO PARTICIPATE IN THE EXCHANGE PROGRAM.—
23 The Director of Foreign Assistance shall establish an out-
24 reach program to encourage eligible applicants to partici-

1 pate in the Exchange Program, who, as a requisite, shall
2 meet the following requirements:

3 (1) Are citizens of the United States or lawfully
4 admitted for permanent residence in the United
5 States.

6 (2) At a minimum, should possess—

7 (A) fluency in Kreyol or are working to-
8 wards a proficiency in Kreyol, or willing to un-
9 dertake intensive Kreyol training, to the satis-
10 faction of the selection committee; or

11 (B) fluency in French or are working to-
12 wards a proficiency in French, or willing to un-
13 dertake intensive French training, to the satis-
14 faction of the selection committee.

15 (3) Any other criteria, skills, or expertise identi-
16 fied by the selections committee as necessary to pro-
17 vide technical assistance in one of the areas identi-
18 fied pursuant to subsection (c)(2).

19 (g) TERMS OF PARTICIPATION FOR INDIVIDUALS IN
20 THE EXCHANGE PROGRAM.—

21 (1) ORIENTATION REQUIRED FOR INDIVIDUALS
22 IN THE EXCHANGE PROGRAM.—Participants shall
23 attend an orientation outlined by the Director of
24 Foreign Assistance, in consultation with the selec-
25 tion committee. The orientation shall consist of

workshops and seminars designed to prepare participants for their stay in Haiti. Topics addressed shall include the following:

(A) A review of the Exchange Program's goals and intentions.

(B) A review of Haiti's different approaches to the country's development needs.

(C) A review of the potential cultural and behavioral barriers individuals may face while participating in the Exchange Program.

(2) LENGTH OF SERVICE IN EXCHANGE PROGRAM.—

(A) 27 MONTHS.—Individuals may participate in the Exchange Program for not longer than 27 months.

(B) EXCEPTION.—If a participant would like to extend the duration of time of participation in the program, an application for such an extension shall be subject to approval of the Director of Foreign Assistance, in consultation with the democratically elected Government of Haiti. Upon approval, individuals may participate in the Exchange Program for one additional year.

1 (C) COMPENSATION AND READJUSTMENT
2 ALLOWANCE.—

3 (i) COMPENSATION.—An individual
4 who participates in the Exchange Program
5 shall receive monthly compensation equal
6 to the average monthly salary of such indi-
7 vidual’s professional Haitian counterpart.

8 (ii) READJUSTMENT ALLOWANCE.—At
9 the end of an individual’s participation in
10 the Exchange Program, the Director of
11 Foreign Assistance shall provide to such
12 individual a readjustment allowance in an
13 amount equal to the number of months
14 such individual participated in the Ex-
15 change Program multiplied by \$250.

16 (3) ENACTMENT, NOTICE, AND COOPERA-
17 TION.—

18 (A) ESTABLISHMENT.—The Exchange
19 Program shall be established not later than 180
20 days after the date of the enactment of this
21 Act.

22 (B) NOTICE.—Not later than 30 days
23 after the date on which the Director of Foreign
24 Assistance establishes the Exchange Program
25 under subsection (a), the Director shall—

1 (i) provide notice thereof to Congress;

2 and

3 (ii) submit to Congress information on
4 the Exchange Program that contains the
5 agreement governing the scope of work ne-
6 gotiated with the democratically elected
7 Government of Haiti, a recruitment plan
8 for participants, and a description of the
9 qualifications and other appropriate infor-
10 mation relating to individuals who are to
11 be recruited to participate in the Exchange
12 Program, including the needs that the indi-
13 viduals are expected to fill under the Ex-
14 change Program.

15 (C) COOPERATION.—The Director of For-
16 eign Assistance, in cooperation with the demo-
17 cratically elected Government of Haiti, shall re-
18 port to Congress annually on the implementa-
19 tion of the Exchange Program, including as
20 to—

21 (i) the selection of projects or activi-
22 ties in which individuals will be involved
23 under the Exchange Program; and

1 (ii) the manner in which the Ex-
2 change Program will be made known to the
3 public in the United States and Haiti.

4 (4) DEFINITIONS.—In this section:

5 (A) CIVIL SOCIETY.—The term “civil soci-
6 ety” means voluntary civic and social organiza-
7 tions and may include registered charities,
8 grassroots organizations, coalitions and advoca-
9 cy groups, and professional associations.

10 (B) EXPERT ADVISORS.—The term “expert
11 advisors” means individuals who possess exten-
12 sive experience in fields which will benefit Haiti
13 that may include education, energy, environ-
14 ment, healthcare, infrastructure, security,
15 transportation, and disaster preparedness.

16 (5) AUTHORIZATION OF APPROPRIATIONS.—

17 (A) IN GENERAL.—There are authorized to
18 be appropriated for each of fiscal years 2009
19 through 2014 such sums as may be necessary
20 to carry out this section.

21 (B) SENSE OF CONGRESS.—It is the sense
22 of Congress that at least \$3,000,000 should be
23 made available for each of the fiscal years speci-
24 fied in subparagraph (A) to carry out this sec-
25 tion.

1 (h) REPORTS.—

2 (1) IN GENERAL.—Not later than 18 months
3 after the date of the enactment of this Act and an-
4 nually thereafter, the Director of Foreign Assistance
5 shall submit to Congress a report regarding the Ex-
6 change Program.

7 (2) CONTENTS.—The reports shall include in-
8 formation relating to the following:

9 (A) Individuals and organizations selected
10 to participate and receive funds and a detailed
11 breakdown of the uses of such funds, including
12 purpose, locations, and results.

13 (B) The potential for expansion of the Ex-
14 change Program.

15 (C) The number of individuals recruited to
16 participate in the Exchange Program, their
17 countries of origin and their current residences,
18 and the ministry or agency and the locality in
19 which each individual is placed.

20 (D) A statement of financial accounting.

21 **SEC. 4. LOAN FORGIVENESS FOR EXCHANGE PROGRAM**
22 **PARTICIPANTS.**

23 (a) PROGRAM ESTABLISHED.—

24 (1) PROGRAM AUTHORIZED.—The Secretary of
25 State, in cooperation with the Secretary of Edu-

1 cation, shall establish and implement a program to
2 cancel the obligation of loan borrowers to pay the
3 principal and interest on student loans for program
4 participants, during their service in the Exchange
5 Program under section 2.

6 (2) METHOD OF REPAYMENT.—The Secretary
7 of State shall carry out such program by repaying
8 in accordance with subsection (b) the principal and
9 interest, not to exceed a total of \$10,000, on a loan
10 made under title IV of the Higher Education Act of
11 1965 (20 U.S.C. 1070 et seq.) for a borrower who—

12 (A) has obtained an undergraduate or
13 graduate degree;

14 (B) is selected to participate in the Ex-
15 change Program under section 2 of this Act;

16 (C) is a United States citizen or perma-
17 nent legal resident; and

18 (D) is in repayment status on such loan
19 and is not in default on a loan for which the
20 borrower seeks forgiveness of principal and in-
21 terest payments.

22 (b) TERMS.—

23 (1) PROMISE TO COMPLETE SERVICE REQUIRED
24 FOR PAYMENT.—Any application for payment under
25 subsection (a) shall contain an agreement by the ap-

1 plicant that the applicant will continue in a quali-
2 fying service described in subsection (a)(2)(B) for
3 not less than 1 complete year, or will, upon a failure
4 to complete such year, repay the United States the
5 amount of the principal and interest repaid by the
6 Secretary under subsection (a), at a rate and sched-
7 ule, and in accordance with regulations, prescribed
8 by the Secretary. Such regulations may provide for
9 waiver by the Secretary of such repayment obliga-
10 tions upon proof of economic hardship as specified
11 in such regulations.

12 (2) PAYMENT IN INSTALLMENTS.—After a bor-
13 rower has been selected as a participant of the Ex-
14 change Program under section 2, the Secretary shall
15 make payments under this section while the bor-
16 rower is in loan repayment status and continues as
17 a participant of such program. The Secretary shall
18 repay a portion of a borrower's outstanding loan,
19 not to exceed a total of \$10,000, in the following in-
20 crements:

21 (A) Up to \$2,000, or 20 percent of the
22 borrower's outstanding loan balance, whichever
23 is less, at the completion of the first year of
24 such service.

1 (B) Up to \$2,500, or 25 percent of the
2 borrower's outstanding loan balance, whichever
3 is less, at the completion of the second year of
4 such service.

5 (C) Up to \$5,000, or 50 percent of the
6 borrower's outstanding loan balance, whichever
7 is less, at the completion of the third and final
8 year of such service.

9 (c) REGULATIONS.—The Secretary of State is au-
10 thorized to issue such regulations as may be necessary to
11 carry out this section. Such regulations shall establish pro-
12 cedures by which borrowers shall apply for loan repayment
13 under this section.

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